

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF NORTH CAROLINA

U.S. COMMODITY FUTURES TRADING  
COMMISSION,

Plaintiff,

v.

TRACY LEE THOMAS, a/k/a  
TREYTON L. THOMAS, a/k/a  
TRAYTON L. THOMAS, a/k/a  
TREY THOMAS, a/k/a  
TRAY THOMAS, a/k/a  
T.L. THOMAS, and  
MARBURY ADVISORS INC.,

Defendants.

Civil Action No. 16-CV-226

*Hon. Loretta C. Biggs*

**[proposed] ORDER FOR  
ALTERNATIVE SERVICE OF  
PROCESS BY PUBLICATION  
AND EMAIL ON DEFENDANT  
THOMAS AND EXTENSION OF  
TIME FOR SERVICE**

This Court, having considered Plaintiff Commodity Futures Trading Commission's ("CFTC") Motion for motion for Alternative Service of Process by Publication and Email on Defendant Thomas ("Thomas") and Extension of Time for Service, and having found good cause therefore,

IT IS HEREBY ORDERED that Plaintiff CFTC shall serve the Summons and Complaint in this action on Defendant Thomas:

- 1) by email to tthomas05@gmail.com and t.thomas@post.harvard.edu; and
- 2) by publication of the Notice of Lawsuit and Summons with a link to the Complaint in the form described in Exhibit A to Plaintiff's motion for alternative service,

once a week for four consecutive weeks, in *The Daily Progress* (Charlottesville, Virginia).

If, after 21 days from the fourth week of the aforementioned publication, Defendant Thomas has not answered or otherwise filed a response to the Complaint, then Plaintiff CFTC may request a Certificate of Default against Thomas from the Clerk of the Court.

The deadline for Plaintiff to serve the Summons and Complaint on Defendant Thomas via email and publication shall be 90 days from the date of this Order.

SO ORDERED this \_\_ day of \_\_\_\_\_ 2016.

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L. Patrick Auld  
UNITED STATES MAGISTRATE JUDGE